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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,601	08/10/2001	Jani Ekman	930.336USW1	8153
32294	7590	03/27/2006		
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			EXAMINER CHOW, CHARLES CHIANG	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/927,601

Applicant(s)

EKMAN ET AL.

Examiner

Charles Chow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☒ Claim(s) 15-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Detailed Action**

1. This office action is for amendment received on 1/09/2006.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sayers et al. (US 6,539,237 B1) in view of Vaara (US 6,400,951 B1).

Regarding **claim 15**, Sayers teaches a controller [P-BTS 27-1 to 27-3] for cellular communication network [ Fig. 4, wireless GSM network in col. 7, line 20-21],

comprising means for generating a handover required indication for a call is engaged [ P-BTS generates handover request message to gatekeeper, col. 27, lines 50-67], and

packet generating means for generating a packet addressed to gatekeeper [ the packet interface layer is the packet generating means for generating external control message packet for forwarding, addressed, to gatekeeper, because gatekeeper receives external control message from P-BTS, col. 25, lines 51-67].

the packet generating means [ the packet interface layer formulating external control message, col. 25, lines 56-57] being configured to include in the packet a candidate of alternative cell to which the call could possibly be transferred [ the received external control message indicating an alias identifier, col. 25, lines 56-64; the endpoint identifier is the candidate, from gatekeeper, for possible call transferring, col. 26, lines 22-28].

Sayers fails to teach the candidate list of alternative cells to which the call could possibly be transferred.

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Vaara teaches these features [ in step 64, the BSC selects cells suitable as the target cells. The selected cells is the candidate list for handover; in step 67, the BSC selects one cell from the selected cells as target cell for handover, col. 9, lines 25-36; similar in steps 74, 79 of Fig. 7], in order to provide better handover service which considers the measurement result and the special cell list [ col. 5 lines 1-17]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to upgrade Sayers with Vaara's selected cells as the candidate cells for handoff, in order to provide better handover service which considers the measurement result and the special cell list.]

Regarding **claim 16**, Sayers teaches a gatekeeper [ 41, Fig. 4] for a cellular communication network [wireless GSM network in col. 7, line 20-21] comprising

means for receiving a packet comprising a cell to which a call could be possibly be transferred [ the gatekeeper received external control message having an alias identifier, col. 30, lines 10-24; the endpoint identifier is the candidate, from gatekeeper, for possible call transferring, col. 26, lines 22-28],

means for generating a packet for sending a handover request for handling over a call to one of the alternative cell indicated in the received packet comprising a candidate to which the call could possibly be transferred [ the candidate P-BTS receiving call setup message packet from gatekeeper indicating called party number & other configuration information, col. 27, lines 3-16, for terminating a call by transferring].

Sayers fails to teach the candidate list of alternative cell to which a call could be possibly be transferred.

Vaara teaches these features [ in step 64, the BSC selects cells suitable as the target cells. The selected cells is the candidate list for handover; in step 67, the BSC selects one cell from the selected cells as target cell for handover, col. 9, lines 25-36; similar in steps 74,

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79 of Fig. 7], in order to provide better handover service which considers the measurement result and the special cell list [ col. 5 lines 1-17]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to upgrade Sayers with Vaara's selected cells as the candidate cells for handoff, in order to provide better handover service which considers the measurement result and the special cell list.]

### **Allowable Subject Matter**

3. The following is an examiner's statement of reasons for allowance:

Claims 1-14 are allowable over the prior art of record. The prior arts fail to teach the allowable features, singly, particularly, or in combination, associated with the foreign filing date benefit of 2/11/1999, for the structure having at least one gatekeeper connected to said controllers by a switched packet communication path, for handover a call,

wherein the controller including means for generating a handover required indication for a call and **packet generating means** for generating a packet addressed to gatekeeper and including control information comprising a candidate list of alternative cells to which the call could possibly be transferred and

wherein the **gatekeeper includes selection means for selecting one of said alternative cells in said candidate list** and packet generating means for generating a packet for sending a handover request for handing over the call to said one of said alternative cells [ independent claim 1]

the receiving from said mobile station a handoff required indication indicating that handover is need from a source controller to a target controller;

formulating at the source controller a packet addressed to a source gatekeeper,

said packet including control information comprising a candidate list identifying possibly alternative controllers; and

at the source gatekeeper, determined to which one of said target controller with said candidate list a handoff request should be forwarded and formulating a packet for forwarding to said target controller [ independent claim 8].

The dependent claims are also allowable due to their dependency upon the independent claim and comprising additional claimed features associated to the features of the independent claims.

The closest prior art Sayers US 6,539,237) teaches the plurality of P-BTS [Fig. 4] having a gatekeeper 41, for the handover call between P-BTS [col. 11, lines 44-51] having private LAN network and public network [Fig. 4, col. 10, line 64 to col. 11, line 18], but failed to teach the controller including means for generating a handover required indication for a call and **packet generating means** for generating a packet, including a candidate list of alternative cells; the gatekeeper includes selection means for selecting one of said alternative cells in said candidate list.

**Vaara (US US 6,400,951 B1)** teaches candidate list of alternative cell to which a call could be possibly be transferred [in step 64, the BSC selects cells suitable as the target cells. The selected cells is the candidate list for handover; in step 67, the BSC selects one cell from the selected cells as target cell for handover, col. 9, lines 25-36; similar in steps 74, 79 of Fig. 7], but failed to teach the selection means, the generating packet including a candidate list.

Other prior arts in below were also considered, but they fail to teach the above allowable features.

**Thomas et al. (US 6,421,339 B1)** teaches the gateway 26 is defined for ISDN network, gateway 24 is defined for ATM network, and gateway 22 is defined for PSTN network, the

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gatekeeper 44 is connected, via packet data network 30 & R/GW 34/28 to gateways 24, 32, 26 for forwarding a call [abstract, (Fig. 1, col. 3, lines 6-10)].

**Hannula et al. (US 6,366,893 B2)** teaches the service gateway 10 has conversion 152 in Fig. 4 for interfacing to various payment protocols [abstract, figure in cover page, Fig. 1, Fig. 5-6], for the payment transaction interfacing [ col. 8, line 66 to col. 9, line 2; col. 9, lines 61-64].

**Haga (US 6,366,576 B1)** teaches routing calls between a first telecommunication network and an external telecommunication network having gatekeeper and gateway 1/gateway 2 [abstract, Fig. 1-2].

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

- 5 Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Applicant has amended claims based on the argument for the no teachings of the packet generating/receiving means for the associated candidate list of alternative cells from Vaara [ pages 7-8, 13 of applicant's amendment 1/9/2006].

Regarding the packet generating/ receiving means, Sayers teaches a packet interface layer which is the means for generating packet, col. col. 25, lines 56-64].

Regarding the o teachings from Vaara for the candidate list of alternative cells for handover, Vaara does teach these features [ in step 64, the BSC selects cells suitable as target cells for handover. The selected cells is the candidate list for handover; & in step 67,

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the selecting one of the selected cells as target cell. The selected cells is the candidate cells for handover, col. 9, lines 19-36].

**Conclusion**

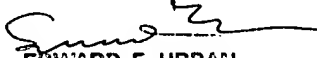
- 6 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (571) 272-7889. The examiner can normally be reached on 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Chow [Signature]

March 6, 2006.

  
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